

Message Text

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ORIGIN L-03

INFO OCT-01 AF-10 IO-13 ISO-00 CIAE-00 INR-07 NSAE-00
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/063 R

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APPROVED BY IO:GBHELMAN
IO/UNP:RLBARRY

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FM SECSTATE WASHDC

TO AMEMBASSY NAIROBI IMMEDIATE

INFO USMISSION GENEVA IMMEDIATE

USMISSION USUN NEW YORK IMMEDIATE

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E.O. 11652: N/A

TAGS: SENV, OCON, UNEP

SUBJECT: UN DESERTIFICATION CONFERENCE: RULES OF PRO-
CEDURE

REF: NAIROBI 10806

1. CHAIRMAN'S SUGGESTED CHANGES IN PROVISIONAL RULES
OF PROCEDURE AND PROPOSED NEW RULES ARE ACCEPTABLE TO
DEPARTMENT WITH TWO EXCEPTIONS.

2. PROPOSED NEW RULE 60 ON METHOD OF SUSPENSION OF
THE RULES APPEARS TO PERMIT SUSPENSION BY A SIMPLE
MAJORITY VOTE OF THE CONFERENCE PURSUANT TO RULE 29(2)
(DEFINING "DECISIONS OF THE CONFERENCE ON MATTERS OF
PROCEDURE"). THE REQUIREMENTS FOR SUSPENSION OF THE
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RULES SHOULD BE AT LEAST AS STRICT (IF NOT STRICTER)
AS REQUIREMENTS FOR AMENDMENT OF THE RULES, WHICH ARE
SPECIFIED IN PROPOSED NEW RULE 59. THEREFORE, WE
SUGGEST THE FOLLOWING REWORDING OF PROPOSED RULE 60
(METHOD OF SUSPENSION):

"THESE RULES MAY BE SUSPENDED IN THE SAME MANNER AS THEY MAY BE AMENDED UNDER RULE 59, PROVIDED THAT 24 HOURS NOTICE OF THE PROPOSAL..."

3. COUNCIL FOR NAMIBIA: OPTIMALLY WE PREFER LANGUAGE IN RULE 53 OF PROVISIONAL RULES OF PROCEDURE. IF LANGUAGE IN REFTEL IS INTENDED TO SUPPLEMENT RULE 53, WE CAN ACCEPT ADDITIONAL LANGUAGE IN ITS ENTIRETY. IF, HOWEVER, REFTEL LANGUAGE IS INTENDED TO REPLACE RULE 53, WE HAVE THE FOLLOWING OBJECTIONS. WE READ THE PROPOSED REVISION TO GRANT BROADER RIGHTS OF PARTICIPATION TO THE COUNCIL THAN ARE ACCORDED TO OTHER NON-STATE PARTICIPANTS. IN PRINCIPLE, WE HAVE NO OBJECTION TO THIS RESULT. HOWEVER, OMISSION OF PHRASE "AS AN OBSERVER, WITHOUT RIGHT TO VOTE" SUGGESTS REVISED RULE MIGHT ACCORD VOTING RIGHTS TO REPRESENTATIVES DESIGNATED BY COUNCIL. VOTING PARTICIPATION SHOULD BE LIMITED TO STATES. IN PARTICULAR, WE WISH TO AVOID CREATING PRECEDENT WHICH COULD HAVE TROUBLESOME IMPLICATIONS CONCERNING ENTITIES AND MOVEMENTS TO WHICH WE DO NOT WISH TO ASCRIBE ATTRIBUTES OF STATEHOOD, EITHER AT THIS CONFERENCE OR IN OTHER CONTEXTS. THE PROBLEM COULD BE SOLVED BY INSERTING "AS AN OBSERVER, WITHOUT VOTE" AT END OF FIRST SENTENCE OF REVISED RULE. ALTERNATIVELY, WE COULD ACCEPT CHAIRMAN'S ASSURANCES THAT HE WILL INTERPRET THE RULE IN THIS FASHION, UNLESS IT IS LIKELY THAT HIS INTERPRETATION WOULD LIMITED OFFICIAL USE

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SUCCESSFULLY BE CHALLENGED BY VOTING REPRESENTATIVES. IN ANY EVENT, WE WOULD NOT WISH TO PROVOKE CONFRONTATION ON THIS ISSUE, AND IF ISSUE IS DECIDED AGAINST OUR POSITION, YOU SHOULD MAKE STATEMENT FOR RECORD THAT WE UNDERSTAND THIS CREATES NO PRECEDENT.

4. DEPARTMENT WISHES TO ADVISE THAT HEAD OF DELEGATION JAMES JOSEPH WISHES TO STAND FOR ONE OF THE VICE-PRESIDENTIAL POSTS AT THE CONFERENCE.

CHRISTOPHER

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

Automatic Decaptioning: X
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Control Number: n/a
Copy: SINGLE
Sent Date: 25-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
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